Reading, Writing, *but No* Arithmetic

Healthier Schools Legislated but Funding Lags

In the last year, legislative initiatives were introduced in a host of key areas affecting children: improved school environments, chemical risk assessment for childhood exposures, right-to-know provisions for industrial releases considered harmful to children, and several federal health research programs. Reflecting a somewhat cooperative environment in the Congress, several of these initiatives are enjoying bipartisan support. But the battle for funding is becoming increasingly difficult with a shrinking budget surplus and the current demands of homeland security. How much legislative support for these initiatives will translate to expendable resources after they become law remains to be seen. "There seems to be a lot of interest in passing legislation," acknowledges Carol Stroebel, a health policy specialist with the Children's Environmental Health Network, a Washington, DC–based advocacy group. "But we can't forget about implementation."

A Focus on Schools

Much of the current legislation focuses on indoor school environments, where children spend much of their time. According to the Department of Education (ED), one-half of the 115,000 schools in the United States have problems linked to indoor air quality. Of these, 28,000 have inadequate heating, ventilating, and air conditioning systems and 21,000 have faulty roofs. Air pollution affects children more than it does adults because children have narrower airways and more rapid rates of respiration, and they inhale more pollutants per pound of body weight. Meanwhile, asthma—which can be triggered by poor air quality—is the leading cause of school absenteeism. Claire Barnett, the executive director of Healthy Schools Network, Inc., an advocacy group based in Albany, New York, says the costs involved in upgrading and modernizing U.S. school facilities (not including purchase of new technology, e.g., computers) could range up to $250 billion.

Tackling these problems head on is the Healthy and High Performance Schools Act of 2001 (HHPS), introduced by Hillary Rodham Clinton (Democrat–NY). This act was included as an amendment in the No Child Left Behind Act of 2001 (a sweeping reform of the Elementary and Secondary Education Act of 1965) signed by President Bush on 8 January 2002.

The HHPS has two components. The first is a study on the impact of decaying and polluted schools on child health and learning. This study is to be performed by the ED, with advice from the Centers for Disease Control and Prevention (CDC) and the U.S. Environmental Protection Agency (EPA).

The other is the creation of a Healthy, High Performance Schools Program, also to be administered by the ED in consultation with the EPA and the Department of Energy. This program will provide grants to help school districts make their buildings healthier and more energy efficient.

That's the good news. The bad news is that the HHPS legislation was passed with no appropriated funding. Anonymous sources acknowledge that although no formal decision to abandon the program and its mandate has been made, it will be difficult to proceed unless, as one staffer put it, "someone figures out a way to get the job done without any resources." Despite the short-term funding issue, Barnett says passage of the legislation is an important, if symbolic, breakthrough. "It sends the states and local schools a clear message that the federal government is concerned with environmental quality in schools," she says. "It's clearly an issue that resonates with thousands of communities around the country." In addition, she says, this legislation has helped to push the ED to the table of children's environmental health. Heretofore, says Barnett, the ED did not participate in the federal interagency task force on risks to child health—and now it does.

The outcome for another key piece of school-based legislation—the School Environmental Protection Act (SEPA)—is not as bright. SEPA addresses what many experts believe is a significant threat of pesticide exposure to schoolchildren. A November 1999 report entitled *Pesticides: Uses, Effects, and Alternatives to Pesticides in Schools,* released by the General Accounting Office, concluded that the EPA is not doing enough to protect children from pesticides and that the information on pesticide use in schools is unacceptably sparse.

The Washington, DC–based environmental group Beyond Pesticides, which has actively supported SEPA, claims that 48 different pesticide formulations are commonly applied in schools. Although 31 states have already taken steps to protect schoolchildren from pesticides, the remaining states have no such legislation whatsoever, and the approaches that exist are inconsistent. For example, some states require written notification before application, some restrict where and when pesticides can be applied, and others require schools to use integrated pest management schemes [See also p. A293 this issue] to reduce the amounts used. Ironically, the greatest resistance to SEPA is among states with existing regulations in this area. Referring to these states, Jay Feldman, executive director of Beyond Pesticides, which has pushed for SEPA, says, "Their opposition is reflexive. They say they don't want the federal government intruding into the affairs of local school districts."

SEPA has had a convoluted journey through Congress. Sponsored by Senator Robert G. Torricelli (Democrat–NJ), it was first attached to the Leave No Child Behind Act, where it failed by one vote in conference committee last November, when a broad stakeholder coalition of sponsors lost the support of the chemical industry. Then the act was attached as an amendment to the Farm Bill, which passed the Senate in February. However, the provision was withdrawn in early May under heavy opposition from the House Agriculture Committee, to the dismay of its supporters, a coalition of environmental, public health, parent, and teacher organizations, spearheaded by Beyond Pesticides and the National Pest Management Association. In a May 9 press release Feldman said, "Passage of the Farm Bill without SEPA is shortsighted and unfortunate. Children, teachers and school staff deserve the basic health and safety protections that this right-to-know and pest management measure would provide." SEPA supporters report that Senate backers will continue to seek the bill's passage.

Leave No Child Behind

Legislative language dies hard in Washington, however, and some of Torricelli's wording on school pesticide restrictions can also be found within the environmental title of a massive omnibus bill called the Act to Leave No Child Behind. This act, not to be confused with the Bush administration's education legislation, was introduced in May 2001 by Senator Christopher Dodd (Democrat–CT) and Representative George Miller (Democrat–CA) with additional support from the Children's Defense Fund, an advocacy group based in Washington, DC. Specifically, the pesticide language in Title 1E, which addresses the environment, requires advance warning prior to all school applications and in most cases bans the use of highly toxic or carcinogenic pesticides altogether.

In addition to the Torricelli language, Title 1E of the act contains two other provisions for protecting children from environmental pollutants. Among them is a "right-to-know" provision based on legislation sponsored by Representative Henry Waxman (Democrat–CA) that would expand the Toxics Release Inventory to require companies to disclose additional information on releases that present significant risks to children, and would create a public list of substances toxic to children. The act also includes language introduced by Senator Barbara Boxer (Democrat–CA) in the Children's Environmental Protection Act, introduced on 9 May 2001. Among the bill's provisions is the requirement that all environmental and public health standards set by the EPA must protect children and other vulnerable groups. If data on children's unique susceptibilities or exposures are not available, an additional safety factor must be applied.

None of these provisions are moving forward at the moment, says Gregg Haifley, deputy director of health at the Children's Defense Fund. "Congress is on a short schedule because it's an election year," he explains. "It's hard to get issues like this to the top of the agenda, particularly when they cost a lot of money. Also, the budget surplus has evaporated and that has consequences as well." Nevertheless, Haifley says there is room for optimism, pointing out that school-based environmental initiatives in particular are drawing a lot of attention on Capitol Hill.

Looking Ahead

Robert Axelrad, senior advisor in the Indoor Environments Division at the EPA, also believes the outlook for children's environmental health has its bright spots. On a positive note, he says, the President's Task Force on Environmental Health Risks and Safety Risks to Children, established by the Clinton administration in 1997, was formally renewed by President Bush on 9 October 2001. The task force oversees a variety of individual workgroups, including those focused on asthma, lead, and the National Children's Study. Involving up to 100,000 children, this project promises to be the largest epidemiological study of the effects of environmental exposures on infant and child development ever conducted. Although limited funds have been provided to investigate the feasibility of the study, Congress' commitment to appropriating the substantial funds that will be necessary for the full study is uncertain.

The EPA's Asthma Program, on the other hand, continues to enjoy substantial financial support. Axelrad also chairs a new School's Workgroup established by the task force, along with high-level representatives from the CDC and the ED. According to Axelrad, This group will develop a strategy that addresses environmental issues related to school facilities. "I think the fact that children's environmental health issues are receiving cabinet-level attention demonstrates remarkable progress over the past few years," he says. "At the same time, there is still a tremendous amount of work to do."

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